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ATTORNEY DOCKET NO.: D0932-00389

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Duncan and Ciepliski Confirmation No. 8995
Serial No.: 10/666,657 Group Art Unit: 3635
Filed: September 19, 2003 Examiner: Canfield, Robert
For: Baffled Attic Vent Including Method Of Making And Using Same

M.S.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

TRANSMITTAL LETTER
PETITION TO EXPUNGE PROPRIETARY INFORMATION

Submitted herewith in the instant application is:

Petition Under 37 C.F.R. §1.159; and proprietary documents labeled as:

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The Commissioner for Patents is hereby authorized to charge the Petition fee of \$200 to

Deposit Account 04-1679.

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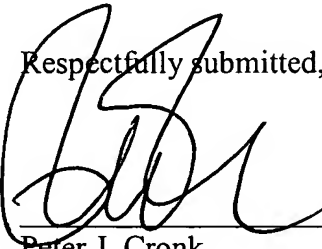
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2/23/07

Respectfully submitted,



Peter J. Cronk

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PETITION UNDER 37 C.F.R. §1.159

Applicants request that the Office expunge the attached document, hereinafter, "Original Version", from the File Wrapper of the instant application. The expunging of this information is being requested because it contains proprietary notes which Applicants did not intend to release to the public. Applicants have replaced the Original Version with a redacted version ("Redacted Version") of this document, and the Redacted Version has now been considered by the Examiner, as evidenced by his initialing Applicants supplemental PTO 1449 form, appended to the Final Office Action dated January 23, 2007.

The redacted information from the Original Version is proprietary to Applicants because it includes internal communications related to competitive commercial products. Since the competitive commercial products themselves are relevant to Applicants' obligations under 35 U.S.C. §1.56, and not Applicants interpretation of these competitive products, Applicants

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respectfully request that the Original Version and all copies, including all of its internal proprietary communications relating to these commercial products, be expunged.

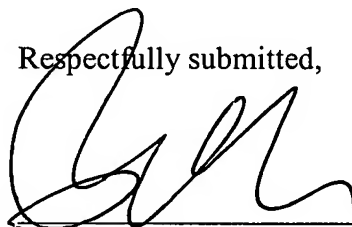
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The Commissioner for Patents is hereby authorized to charge any additional fees, or credit any excess payment, that may be associated with this communication to Deposit Account **04-1679**.

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2/23/02

Respectfully submitted,



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PROPRIETARY

A. Owens-Corning / Perma-R

There is a recent patent from Inno-Vent (847), apparently licensed by OC for Raft-R-Vent. Perma-R's <http://www.perma-r.com/permar/baffles/> Permavent attic baffle appears to have a design almost identical to Raft-R-Mate 847. I suspect this design has been licensed from Inno-Vent as well. We'll probably need to stay away from the stiffening elements exhibited in these designs.



FIGURE 1 - Variants of the Inno-Vent ('847) design. On left is OC's Raft-R-Vent; on right is Perma-R's Permavent.

B. DiversiFoam

DiversiFoam <http://www.diversifoam.com/certivent.htm> makes an attic baffle vent, called CertiVent (not trademarked), using a design similar OC and Perma-R product, without the transverse saddle stiffener in the support ridges.

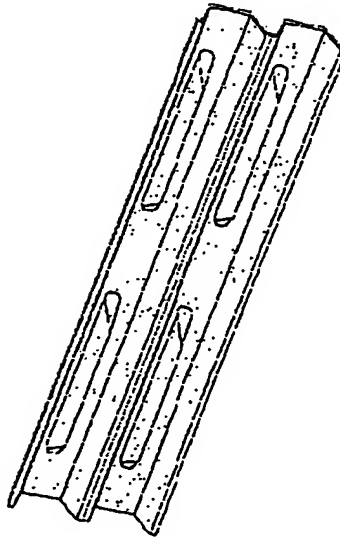


FIGURE 2 – Sketch of DiversiFoam's CertiVent baffle.

C. Apache

Apache Products <http://www.apacheproducts.com/geopattic.htm> is a manufacturer of 3D architectural components for residential and commercial construction. They also appear to offer a simple foam baffle product, show below.

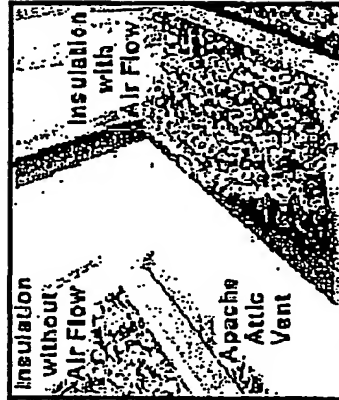
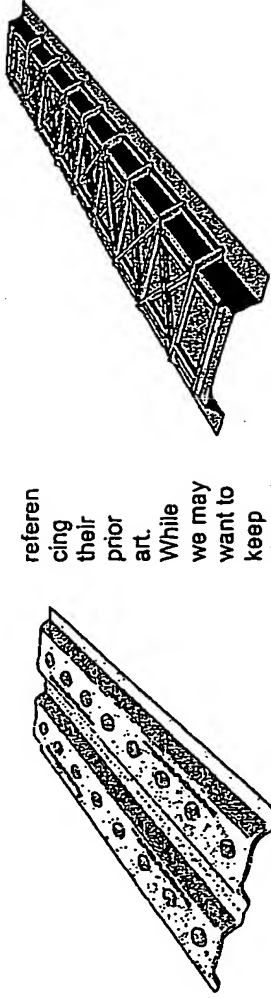


FIGURE 3 – Photo of Apache's Attic Vent product.

D. ADO Products

ADO Products <http://www.adoproducts.com/> makers of DuroVent and ProVent (Durovent is manufactured by Pactiv, not sure where ProVent is made), offers two interesting designs that do not appear to be patented. DuroVent, appears to be positioned as the 'economy' design, while ProVent, is positioned as the 'premium' design as it looks to be better reinforced.

Although these designs do not appear to be patented, if we design too close to these geometries, we may not be able to patent our design, since ADO would likely contest our application,



referen
cing
their
prior
art. While
we may
want to
keep
clear of
these

designs, I believe we can create a similar design with features that work around the ADO designs.

FIGURE 4 - ADO Product's baffle designs. Durovent on left, ProVent on right.

ADO also has a recent patent for a rafter block. This is an additional foam panel that supports a baffle at the header, blocking both incoming wind and leakage of loose fill insulation between the bottom of the baffle and the top edge of the header. There is some potential here to come up with an innovative alternative to satisfy the needs of the loose fill market. I suspect that we could pursue this at a later date, since our present target for baffles would be the retail market.

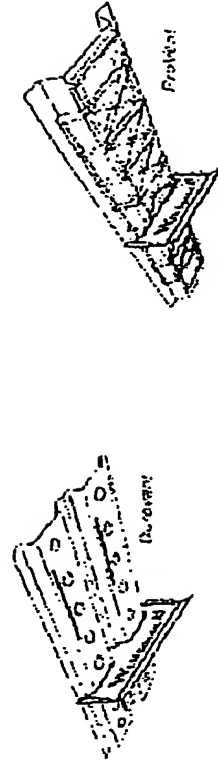


FIGURE 5 - ADO's Windbloc insulation dam added to their attic baffles

E. Meyer

Meyer Industries <http://www.insulationsolutions.com/insul.htm> makes an attic baffle shield called Insul-Tray, integrating radiant barrier technology into their design.

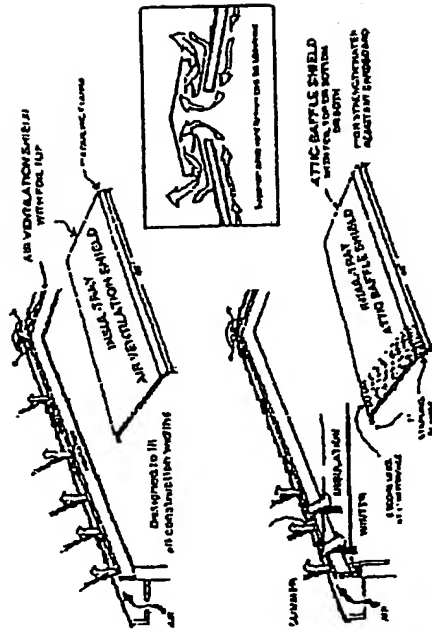


FIGURE 6 – Sketch of Meyer's radiant barrier baffle.

PROPRIETARY

F. Pactiv/Tenneco

Pactiv has provided us with a yellow baffle with the JM name impressed on the offset surface. This design is identical to the Pactiv (Tenneco) design that was apparently offered to us in 1998, and contains some of the design features of the ADO's DuroVent design, which again does not appear to be patented. In our 1998 work with Pactiv, our Gate presentation claims that this design was patented by Tenneco/Amoco, but I could not find this patent.

The design offered by Pactiv may or may not be still available to CT - We should contact Bill McDonald to be sure. See more discussion on this in the Manville section below.

G. Johns-Manville

It is not obvious that Pactiv now makes their baffle design under the JM label, since I could not find this as a JM product in my internet search. Research on JM's website shows that they currently offer a 'vent chute' product using a design identical to ADO's Durovent.

H. Shelter Enterprises

Shelter Enterprises, Inc. <http://www.shelter-ent.com/snapvent.htm> appears to offer two products. First is a AeroVent®, which looks a lot like Raft-R-Vent and Perma-R. The second is Snap Vent. It appears to be a simple prismatic profile with two channels between the center perforation, with no transverse reinforcement elements. No patent information found regarding this latter design.

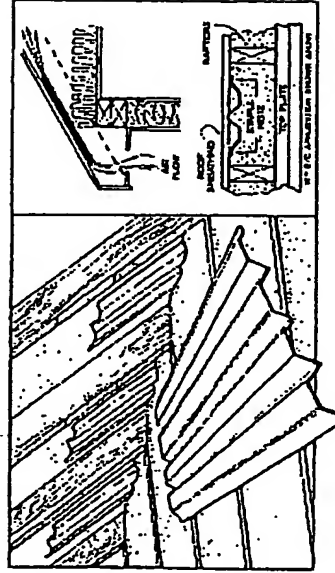
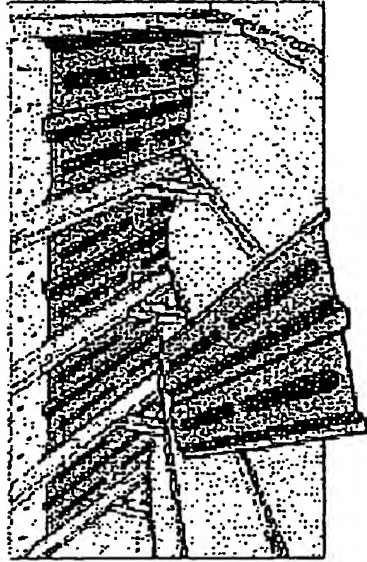


Figure 7 – Shelter Enterprises offerings. Snap Vent on left, AeroVent® on right.

I. Moore Products

Moore Products LLC, now a subsidiary of Service Partners <http://www.service-partners.com/products.htm>, also offers an attic baffle under the name of Poly Vent Plus®. This design, shown below, does not appear in the patent literature. It is a simple two-channel profile with a transverse reinforcement at both open ends and three transverse ribs on the offset surface midway between each end. These ribs are similar to but not identical to the design feature described in the '847 patent.

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